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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 PROTEMPO LIMITED, et al.,

11 Plaintiffs,

12 v.

13 GAEMS, INC., et al.,

14 Defendants.

15 CASE NO. C21-1337JLR

16 ORDER

17 Federal Rule of Civil Procedure 4 requires a plaintiff to serve the defendant with a
18 summons and a copy of the plaintiff's complaint and sets forth the specific requirements
19 for doing so. *See Fed. R. Civ. P. 4.* Rule 4(m), which provides the timeframe in which
20 service must be effectuated, states in relevant part:

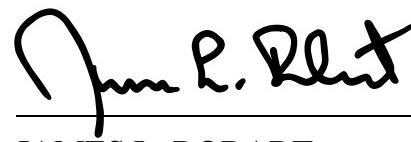
21 If a defendant is not served within 90 days after the complaint is filed, the
22 court—on motion or on its own after notice to the plaintiff—must dismiss
23 the action without prejudice against that defendant or order that service be
24 made within a specified time. But if the plaintiff shows good cause for the
25 failure, the court must extend the time for service for an appropriate period.

1 | *Id.* Here, Plaintiffs have failed to identify Defendants Does 1-20 and failed to serve
2 | Defendants GAEMS, Inc. and Does 1-20 with a summons and a copy of Plaintiffs'
3 | complaint within the timeframe provided in Rule 4(m).

4 The parties have also indicated in their joint status report that various motions are
5 | forthcoming. (*See generally* JSR (Dkt. # 15).) Defendant represents that it "anticipates
6 | filing a motion to dismiss or stay this litigation." (*See id.* at 4.) Plaintiffs represent that
7 | they intend to seek an order permitting them to complete service through alternative
8 | means (*id.* at 17) and, "[i]f the [p]arties do not reach a stipulation, . . . a motion asking the
9 | [c]ourt to appoint a Special Master" (*id.* at 7). The court will address any such motions,
10 | if they are filed, after they become ripe for the court's consideration.

11 Accordingly, the court ORDERS Plaintiffs to SHOW CAUSE within ten (10) days
12 | of the date of this order why the unserved Defendants should not be dismissed from this
13 | action based on Plaintiffs' failure to comply with Rule 4(m). If Plaintiffs do not
14 | demonstrate good cause for the failure, the court will dismiss any Defendants that have
15 | not been served from this action without prejudice.

16 Dated this 17th day of February, 2022.

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19 JAMES L. ROBART
20 United States District Judge
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